

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Thomas W. DUBENSKY, Jr. et al.

Application No.: 10/773,792

Confirmation No.: 8458

Filed: February 6, 2004

Art Unit: 1645

For: LISTERIA ATTENUATED FOR ENTRY INTO
NON-PHAGOCYTIC CELLS, VACCINES
COMPRISING THE LISTERIA, AND
METHODS OF USE THEREOF

RESPONSE TO OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed May 4, 2009 (Paper No. 20090428, hereinafter "the Office Action"), please amend the above-identified application and consider the remarks as follows.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper

Petition for Extension of Time:

Applicant hereby petitions for an extension of time to extend the period for reply to October 5, 2009, as October 4, 2009, is a Sunday. The requisite fee accompanies this petition and response.

CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via electronic transmission via EFS-Web on the date indicated below.

Name of Person Mailing	Kristen Lemme	Date	05 Oct 2009
Signature	/Kristen Lemme/		